

Atty Istanbulian, Flora (for Theodora Michaelides – Conservator – Petitioner)

(1) Third Account and Report of Conservator; (2) Petition for Allowance of Fees to Attorney for Conservator; (3) for Reimbursement of Expenses to Conservator; and (4) for Reduction of Bond [Prob. C. 2620, 2640, 2430, 2329]

Age: 93		THEODORA MICHAELIDES , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 4-1-10 through 9-30-12	<p><u>Note:</u> The conservatee's residence was sold recently for a loss of \$178,564.09 (from the carry value).</p>
		Accounting: \$ 414,401.49	<p><u>Note:</u> Grey highlight indicates updates.</p>
		Beginning POH: \$ 324,459.27	
		Ending POH: \$ 55,016.40 (cash)	<p>1. The Court may require clarification regarding the amounts listed on Disbursements Schedule C1 for hair care, as the amounts appear to be rather high. (e.g., \$485 on 10-10-11 and \$440 on 9-18-12 – Are these payments for individual services or a time frame?)—Declaration filed 12/3/2012 explains the amounts noted reflected an unpaid balance owed to hairstylist for services (itemized bill attached for clarification.)</p>
<input checked="" type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		<p>2. The Court may require clarification regarding overdraft and NSF charges in Sept. 2010 and Aug. 2012. —Declaration filed 12/3/2012 explains that during the account period the Conservatee's expenses exceeded her monthly income while awaiting real property sale completion.</p>
	Inventory		
	PTC		<p>~Please see additional page~</p>
	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		<p>Reviewed by: skc / LEG</p>
<input checked="" type="checkbox"/>	Aff.Mail	W	
	Aff.Pub.		<p>Reviewed on: 11-28-12</p>
	Sp.Ntc.		
	Pers.Serv.		<p>Updates: 12/3/12</p>
	Conf. Screen		
	Letters		<p>Recommendation:</p>
	Duties/Supp		
	Objections		<p>File 1 - Mitchell</p>
	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620(c)		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS, continued:

3. The Court may require clarification regarding the two check printing charges on the same date (4-18-11) for \$35.60 and then \$156.66. —Declaration filed 12/3/2012 explains these charges were automatically debited by the bank for printing checks and check supplies including conservatorship bank ledger book, as shown on confidentially filed bank statements.
4. It appears from the accounting that payments to the care home fell behind in August 2011, until June 2012 when the Conservator advanced funds to pay the \$28,000.00 that had accrued. The Court may require clarification or further information. —Declaration filed 12/3/2012 explains that during the account period the Conservatee's expenses exceeded her monthly income while awaiting real property sale completion.

Note: If petition is granted, Court will set status hearings as follows:

- **Friday, January 11, 2013** at 9:00 a.m. in Dept. 303, for filing proof of reduced bond; and
- **Friday, February 16, 2015** at 9:00 a.m. in Dept. 303, for filing of the fourth account.

			<p>JOSEPH PEDEMONTE, beneficiary, is Petitioner.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> On 03/09/11, Petitioner filed a Petition to Appoint Successor Trustee in order to appoint Robert S. Swanton as Successor Trustee of the AUGUSTINE J. PEDEMONTE TRUST dated 04/13/83 (the "Trust"), without bond. Petitioner is the sole income beneficiary of the Trust during his lifetime. Petitioner's daughters, Nina Helgeson, Maria Pedemonte, and Augustina Pedemonte are remainder beneficiaries of the Trust. The daughters objected to the appointment of Robert S. Swanton as Successor Trustee of the Trust and objected to the waiver of bond. Petitioner and his daughters agreed to the appointment of Bruce Bickel as Successor Trustee with bond in the amount of \$3,496,544.24. The Trust owns 100 shares in Pedemonte Properties, Inc. and 100 shares of Maria-Nina Investment Company. Both companies own interests in commercial real estate property. The trust owns no other assets. When bond was initially set, the bond was based on the value of the Trust's interest in the commercial real estate property. However, that value was not discounted for the Trust's interest as a minority shareholder. Bond in the amount of \$3,496,544.24 resulted in a bond premium of \$8,741.00 per year for the Trust and the Trust does not have the liquidity to continue to pay the premium. Petitioner and his daughters, who are all adult beneficiaries of the Trust, have all now agreed that it is in their best interest as beneficiaries of the Trust to see the bond reduced in light of the high cost of the bond premium. Mr. Bickel, the current Trustee, also consents to the reduction in bond. The Trustee and all beneficiaries have agreed that a reduction in bond to \$250,000.00 would be appropriate. Probate Code § 15602(b) allows the Court to "excuse a requirement of a bond, reduce or increase the amount of the bond...The Court may not, however, excuse the requirement of a bond...except under compelling circumstances. For the purposes of this section, a request by all the adult beneficiaries of a trust that bond be waived...for their trust is deemed to constitute a compelling circumstance." <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Reducing the amount of bond required to \$250,000.00 as already issued; and Reducing the bond retroactive to the date of the bond's inception on 02/14/12. 	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	w/		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: JF

Reviewed on:
11/28/12

Updates:

Recommendation:

File 2 - Pedemonte

Petition to Reduce Bond

		JOSEPH PEDEMONTE , beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states:	
		11. On 03/09/11, Petitioner filed a Petition to Appoint Successor Trustee in order to appoint Robert S. Swanton as Successor Trustee of the SUSAN M. PEDEMONTE TRUST dated 04/13/83 (the "Trust"), without bond. Petitioner is the sole income beneficiary of the Trust during his lifetime.	
		12. Petitioner's daughters, Nina Helgeson, Maria Pedemonte, and Augustina Pedemonte are remainder beneficiaries of the Trust. The daughters objected to the appointment of Robert S. Swanton as Successor Trustee of the Trust and objected to the waiver of bond.	
		13. Petitioner and his daughters agreed to the appointment of Bruce Bickel as Successor Trustee with bond in the amount of \$3,496,544.24.	
		14. The Trust owns 100 shares in Pedemonte Properties, Inc. and 100 shares of Maria-Nina Investment Company. Both companies own interests in commercial real estate property. The trust owns no other assets.	
		15. When bond was initially set, the bond was based on the value of the Trust's interest in the commercial real estate property. However, that value was not discounted for the Trust's interest as a minority shareholder.	
		16. Bond in the amount of \$3,496,544.24 resulted in a bond premium of \$8,741.00 per year for the Trust and the Trust does not have the liquidity to continue to pay the premium.	
		17. Petitioner and his daughters, who are all adult beneficiaries of the Trust, have all now agreed that it is in their best interest as beneficiaries of the Trust to see the bond reduced in light of the high cost of the bond premium.	
		18. Mr. Bickel, the current Trustee, also consents to the reduction in bond.	
		19. The Trustee and all beneficiaries have agreed that a reduction in bond to \$250,000.00 would be appropriate.	
		20. Probate Code § 15602(b) allows the Court to "excuse a requirement of a bond, reduce or increase the amount of the bond...The Court may not, however, excuse the requirement of a bond...except under compelling circumstances. For the purposes of this section, a request by all the adult beneficiaries of a trust that bond be waived...for their trust is deemed to constitute a compelling circumstance."	
		Petitioner prays for an Order:	
		3. Reducing the amount of bond required to \$250,000.00 as already issued; and	
		4. Reducing the bond retroactive to the date of the bond's inception on 02/14/12.	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF
			Reviewed on: 11/28/12
			Updates:
			Recommendation:
			File 3 - Pedemonte

Age: 13		TEMPORARY EXPIRES 12/04/12		NEEDS/PROBLEMS/COMMENTS:	
		TERRI NELSON , maternal grandmother, is Petitioner.		CONTINUED FROM 11/06/12	
		Father: JOHN SCOTT CHANDLER – currently incarcerated; Consent & Waiver of Notice filed 09/24/12		1. Need proof of <u>personal service</u> at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
Cont. from 110612		Mother: TRISHA NELSON CHANDLER – served by mail on 11/07/12		- Trisha Nelson Chandler (mother) *A proof of service was filed 11/07/12 indicating that the mother was served by mail on 11/07/12; however, service by mail is insufficient to a parent.	
	Aff.Sub.Wit.		Paternal grandfather: THOMAS W. CHANDLER – Served by mail on 11/07/12		
✓	Verified		Paternal grandmother: SANDY CHANDLER – served by mail on 11/07/12		
	Inventory		Maternal grandfather: LARRY NELSON - deceased		
	PTC		Petitioner alleges that the minor's father is currently incarcerated and his mother is a drug user, has violent mood swings, and is abusive to both herself and the minor. The minor's mother threatens to remove the minor from petitioners home, where he has lived the majority of his life. The minor is suffering from his mother's emotional abuse and is having trouble in school. Petitioner states that the minor has expressed to her that he does not want to live with his mother and is afraid of her. Petitioner states that she believes the minor needs counseling to help cope with all of the abuse his mother has put him through.		
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
			Court Investigator Charlotte Bien filed a report on 10/16/12.		
				Reviewed by: JF	
				Reviewed on: 11/28/12	
				Updates:	
				Recommendation:	
				File 4 - Chandler	

Atty Perez, Holley H., of Perez Williams Medina & Rodriguez (for Petitioner Robert F. Perez, Conservator)

(1) First Amended Petition for Termination of Conservatorship Proceedings, (2) Final Account Current and Report of Conservator and (3) Petition for Settlement and Distribution (Prob. C. 1860, 1861, 2620, 2623, 2625, 2630, 2640 & 2642)

DOD: 1/20/2012	ROBERT F. PEREZ , son and Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 11/5/2012. No issues remain to be addressed.
Cont. from 110512	Account period: 12/1/2010 – 1/20/2012 Accounting - \$244,855.60 Beginning POH - \$175,574.17 Ending POH - \$184,507.82	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Subsequent Account period: 1/20/2012 – 7/31/2012 Accounting - \$190,193.28 Beginning POH - \$184,507.82 Ending POH - \$187,532.03 (\$54,282.03 is cash)	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input checked="" type="checkbox"/> Vetern Notc	Conservator - waives	
<input type="checkbox"/> Sp.Ntc.	Attorney - waives	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Petitioner states: <ul style="list-style-type: none"> On 5/9/2011, the Tulare County Superior Court approved and settled the <i>First Account and Report of Conservator</i>, and the Conservatorship was transferred to Fresno pursuant to the <i>Order Approving Transfer of Conservatorship Proceedings to Fresno County</i> dated 10/3/2011; Since the death of the Conservatee on 1/20/2012, Petitioner has pursuant to Probate Code § 2623(a)(5) continued to pay all reasonable expenses incurred for the custody and conservation of the estate; On 5/24/2012, Petitioner was appointed Executor of the deceased Conservatee's estate in Case #12CEPR00330, and <i>Letters</i> issued on that date; 	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
~Please see additional page~		Reviewed by: LEG Reviewed on: 11/29/12 Updates: Recommendation: File 5 - Perez

Petitioner states, continued:

- The Conservatee's former residence is located on property in Orosi, CA, that is adjacent to property owned by Petitioner, and the two residential structures were at one time located on the same parcel of land, built close together as they were inhabited by the extended family unit; the Conservatee's structure was the home of the Conservatee prior to 1999 and prior to his moving to the Vintage Gardens assisted living facility in 2009; the other structure now owned by Petitioner was the home of Petitioner's grandparents, the Conservatee's in-laws; the Conservatee resided in the in-laws' home after 2000, and the Conservatee's residential property remained undisturbed and vacant until 2007, when it was rented to the current tenant; from 2001 until 2009, the Conservatee continued to live in the in-laws' home (now Petitioner's property) rent free; both properties are serviced by two different PG&E utility accounts, one of which has an electrical water well pump utility service account designated as an agricultural well pump used to irrigate a small orange tree grove existing on the property; while the Conservatee lived in the property owned by Petitioner, the Conservatee paid both PG&E utility bills from that property, and also paid the PG&E agricultural well pump utility bill for the property that he owned because he was maintaining irrigation to the existing orange trees separate and apart from the tenant's rental of the residential structure on that property; after the Conservatee moved to the assisted living facility, he continued to pay only the PG&E agricultural well pump utility bill for the property that he owned in order to maintain irrigation to the existing orange trees; each check written out of Conservatee's account for PG&E utility bills contains a memo identifying the correct account number;
- The Conservatee's real property residence located in Orosi is currently occupied by and has been occupied by the same tenant since 12/2007, with **\$900.00** per month of rent paid by the tenant; originally the lease agreement was also an option to purchase the property, and the tenant hoped to buy the property but has not yet been able to qualify for financing due to his being unable to work based on health issues and later being laid off from his job; the tenant has been unable to pay the full amount of rent, and Petitioner has been working with the tenant for payment of the past owed rent while continuing to pay current monthly rent;
- Petitioner spent well **over 500 hours** providing service to the Conservatee beyond paying monthly bills, including visits and/or calls to the Conservatee ~2 times per week, transportation for medical care and other purposes, family celebrations, and travel to Los Angeles for family reunion every year; Petitioner also gave to Conservatee from his own funds spending money of **\$2,550.00** [outlined in Petition with dates and amounts of money from Conservator's funds];
- Petitioner marshaled all Conservatorship assets, which was a problem because the Veterans Administration did not recognize the existence of the conservatorship created under California law, and was requiring Petitioner to apply separately to its fiduciary program before allowing Conservatee's benefits to be deposited into Conservatorship bank account without Conservatee personally authorizing such a change, and the Conservatee at that time would not personally authorize his VA benefits to be directly deposited into the Conservatorship account;
- After establishment of the Conservatorship, Petitioner opened a Conservatorship Bank of America account because he wanted a bank that did not contain any of his or his wife's (Attorney Holly Perez) funds or the funds of his law firm; the Conservatee was allowed by Union Bank, where an account had been opened for him by Petitioner for the purpose of continuing automatic deposits of VA benefits until they could be transferred to the Conservatorship account, to make unauthorized withdrawals from the account without the knowledge of or authorization from the Petitioner; Conservatee remembered withdrawing and spending some of the money, but did not remember many of the disbursements and could not remember what the money was actually used for (please refer to Schedule G);

~Please see additional page~

Petitioner states, continued:

- Beginning with 8/2011, Conservatee's VA benefit checks were received at Petitioner's address, which Petitioner periodically deposited into the Bank of America conservatorship account; Petitioner has in his possession the VA benefit checks for Conservatee's 11/2011, 12/2011 and 1/2012 benefits, which were not deposited into the Bank of America conservatorship account because the Conservatee did not sign them prior to his death; *Schedule A Receipts* does not include the 11/2011 and 12/2011 checks because Petitioner is not sure that these checks will be re-issued by VA in the name of the deceased Conservatee's estate; the 1/2012 VA benefit check has not been included in *Schedule A Receipts* because according to the VA rules, Conservatee was not entitled to benefits for the month of his death, and Petitioner believes VA has probably already stopped payment for the 1/2012 benefit check.

Petitioner prays for an Order:

1. Terminating the Conservatorship proceedings;
2. Approving and settling the Final Account and Report, and approving the acts of the Conservator shown in the Account and Report; and
3. Authorizing the Conservator to distribute and transfer all funds and assets of the Conservatorship estate to himself as the court-appointed Executor of the deceased Conservatee's Estate (Case #12CEPR00330).

DOD: 7/23/2007		Gloria Maldonado, Andrew Sanchez and Teresa Gooding as Administrator of the Estate of Norma Sanchez, are petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 102912		40 days since DOD.	Continued from 10/29/12. As of 11/29/12 the following issues remain:
Aff.Sub.Wit.		No other proceedings.	1. Inventory and Appraisal was not signed by all petitioners.
✓ Verified		Decedent died intestate.	2. Inventory and appraisal indicate that it is a supplemental Inventory and Appraisal and Reappraisal for Sale. In addition #3 indicates that the property listed is a portion of the estate. Pursuant to Probate Code §13151 this summary proceeding may only be used if the gross value of the decedent's real and personal property in this state does not exceed \$150,000.00. Need inventory and appraisal that includes all the property of the decedent located in this state.
✓ Inventory		I & A - \$60,000.00	3. Petition states the decedent's date of death was 7/23/2007. The inventory and appraisal lists the decedent's date of death as 7/25/2007.
✓ PTC		Petitioners request Court determination that Decedent's interest in real property located at 4162 E. Clay Ave., in Fresno passes to them in equal shares pursuant to intestate succession.	
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: KT
			Reviewed on: 11/29/12
			Updates:
			Recommendation:
			File 6 - Sanchez

DOD: 2-14-12		RICHARD DEWAYNE PHILLIPS , Father, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	NEEDS/PROBLEMS/COMMENTS:
		The sole heir nominates Petitioner and waives bond.	
Cont. from 102312		Full IAEA – ok	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Decedent died intestate	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Residence: Fresno Publication – Fresno Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated value of estate: \$0.00	
<input checked="" type="checkbox"/>	Aff.Mail		
<input checked="" type="checkbox"/>	Aff.Pub.	Probate Referee: Rick Smith	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc
			Reviewed on: 11-28-12
			Updates:
			Recommendation: SUBMITTED
			File 7 – Phillips

DOD: 07/18/09		THOMAS W. SIVERLY, ANITA S. WIDMAYER, JAMES R. SIVERLY, HARRY D. SIVERLY, PATRICIA DIVELBISS, and MARY ANN FOSTER , children of Decedent, are Petitioners. 40 days since DOD. No other proceedings. I & A - \$87,077.53 Will dated 04/06/01 devises estate to decedent's six living children equally. Petitioners request court determination that decedent's 100% interest in real property located at 3627 E. Pine Avenue, Fresno and 100% interest in a Schwab One bank account pass to them in equal shares pursuant to decedent's Will.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 11/19/12</u>	
Cont. from 110112, 111912				
✓	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: JF Reviewed on: 11/28/12 Updates: Recommendation: SUBMITTED File 8 - Siverly				

DOD: 7/27/12		ARLEY R. ROBINSON , named executor, is petitioner and requests appointment with bond set at \$200,000.00. Full IAEA – o.k. Will dated: 4/9/2010 Residence: Fresno Publication: Fresno Business Journal	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Friday, January 4, 2013 at 9:00 a.m. in Department 303, for the filing of the bond. Friday, April 26, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, January 24, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
Cont. from 110112				
✓	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
✓	Aff.Mail			W/
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters	<u>Estimated value of the estate:</u> Personal property -\$ 20,000.00 Real property -\$180,000.00 Total - \$200,000.00		
✓	Duties/Supp			
	Objections			
	Video Receipt	Probate Referee: STEVEN DIEBERT		
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT Reviewed on: 11/30/12 Updates: Recommendation: SUBMITTED File 9 - Robinson		

Petition to Remove Trustee and to Appoint Successor Trustee (Prob. C. 15642)

Robert DOD: 05/16/07		BETTY RODGERS , Surviving Trustor and Co-Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states:	<ol style="list-style-type: none"> The Petition does not identify those persons entitled to Notice as required pursuant to Probate Code § 17201. Need <i>Notice of Hearing</i>. Need proof of service by mail at least 30 days before the hearing of <i>Notice of Hearing</i> with a copy of the Petition pursuant to Probate Code § 17203. The Petition requests that Bruce Bickel be appointed to serve with bond, however the Petition does not state the amount of bond required. The Court may require further information.
Cont. from		<ol style="list-style-type: none"> She is the sole surviving Trustor and a Co-Trustee of the ROBERT LEWIS RODGERS AND BETTY IRENE RODGERS REVOCABLE LIVING TRUST dated 05/17/95 (the "Trust"). She is also the sole surviving beneficiary under the Trust. Susan Rodgers MacDonald ("MacDonald") and Peggy Lynn Rodgers King ("King") serve as Co-Trustees along with Petitioner. MacDonald and King became Co-Trustees upon the death of Robert Lewis Rodgers on 05/16/07 and confirmed with the recording of an Affidavit of Change of Trustee signed 07/10/07 and recorded 07/16/10 and have been acting as Trustees since no later than 07/10/07. Petitioner requests the Court remove King as a Co-Trustee pursuant to its authority under Probate Code § 15642 because King, among other things: <ol style="list-style-type: none"> Committed a breach of Trust by her failure to account for rents and income derived from Trust asset and properties; She has refused to account for or return Trust property taken from Trust Real Property; Is hostile and/or otherwise creates a lack of cooperation among the trustees that impairs the administration of the Trust; She has consistently failed to communicate with the co-trustees concerning the management of Trust assets, thus impairing the management, maintenance and control of Trust assets; She has taken unilateral action with respect to Trust assets without consultation, discussion, review or approval by co-trustees; She has failed to act, and in doing so, she has failed to employ Trust assets to their best possible uses (e.g. rental property sits vacant); 	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Continued on Page 2

- g. She has used and/or controls Trust assets to the disadvantage of Petitioner, the sole remaining trustor and beneficiary of the Trust;
 - h. She has failed to provide timely or complete tax information to tax specialists who are responsible for preparing Trust tax returns.
- 6. The Trust instrument does not appoint a successor Trustee. Petitioner requests that the Court appoint Bruce Bickel with bond as successor Trustee in accordance with paragraph XIV of the Trust. Bruce Bickel's consent to serve as Trustee is attached to the Petition.
 - 7. Upon the appointment of Bruce Bickel as Successor Trustee, both Petitioner and MacDonald will resign as co-trustees and Mr. Bickel will serve as the sole Trustee.
 - 8. Petitioner believes that Bruce Bickel's appointment as successor Trustee is in the best interest of the Trust and those persons interested in the Trust for the following reasons:
 - a. Mr. Bickel is a well-known, bonded fiduciary who has considerable experience as a Trustee and in managing Trusts;
 - b. Mr. Bickel will act in accordance with the Trust mandates and in the best interest of Petitioner, the sole surviving settlor and beneficiary.
 - c. Mr. Bickel is neutral and not aligned or affiliated with any current trustee.

Petitioner prays for an Order:

- 1. Removing Peggy Lynn Rodgers King as co-Trustee of the Robert Lewis Rodgers and Betty Irene Rodgers Revocable Living Trust Agreement dated May 17, 1995 and appoint Bruce Bickel as Successor Trustee to serve with bond; and
- 2. Ordering Peggy Lynn Rodgers King to file an accounting with the Court detailing her acts as trustee.

Petition for Appointment of Trustee to Fill Vacancy and for Distribution Instructions

[Prob. C. 15660(d), 17200(b)(6) & 17200(b)(10)]

		<p>CAROLYN K. LARSEN (formerly Kimble), beneficiary, is Petitioner.</p> <p>Petitioner states the JOSEPH KIMBLE TESTAMENTARY TRUST established in 1974 provides for termination upon the death of Joseph Kimble's wife Sally Kimble and distribution to Petitioner outright. Sally Kimble died on 8-19-11. The trust does not provide a method of appointing a trustee therefore this petition is necessary. Most of the trust assets have been distributed; however, some assets, including certain oil and gas interests, remain undistributed and third parties require documentation authorizing distribution.</p> <p>Therefore, Petitioner is seeking appointment as successor trustee in order to formally transfer such assets.</p> <p>Petitioner is the only beneficiary and the only person entitled to notice of this petition.</p> <p>Petitioner seeks an order appointing her as successor trustee and authorizing her as successor trustee to distribute any assets in the name of the trust to herself outright and free of trust.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 11-28-12</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 11 - Kimble</p>	

DOD: 5-18-12	FRANK T. GANN and CHARLOTTE D. GANN, son and daughter, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.	I&A: \$121,544.89 (real property, cash, vehicle)	
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input checked="" type="checkbox"/> Inventory	Petitioners request Court determination that Decedent's 100% interest in the real property, cash and vehicle passes to them (in undivided 50% interests each) pursuant to intestate succession.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/o	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCC/JEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-29-12
		Updates:
		Recommendation: SUBMITTED
		File 12 - Gann

DOD: 11-7-11		JULIA N. UEDA and STEVEN D. NISHIDA , Co-Trustees of the Fred R. Nishida and Haruye Nishida Trust U/T/D/ dated 9-20-89, are Petitioners. 40 days since DOD I&A: \$150,000.00 (real property only) Will dated 9-20-78 devises the residue of the estate to the Fred R. Nishida and Haruye Nishida Trust. Petitioners request that Decedent's 100% interest in certain real property in Reedley, CA passes to them as Co-Trustees of the Fred R. Nishida and Haruye Nishida Trust.	NEEDS/PROBLEMS/COMMENTS: 1. # 6 of the Petition is blank. Are there any proceedings for administration of the Decedent's estate in California? If so, need consent of personal representative.—Supplement to Petition to Determine Succession to Real Property filed 11/29/2012 explains Item 6(a) on Petition was inadvertently left blank; no proceeding for administration of Decedent's estate is being or has been conducted in California. 2. Need date of death of deceased spouse per Local Rule 7.1.1.D. —Supplement to Petition to Determine Succession to Real Property filed 11/29/2012 supplements the Petition stating Decedent's spouse predeceased him on 10/6/2010; copy of death certificate is attached.
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
<div>Reviewed by: skc / LEG</div> <div>Reviewed on: 11-29-12</div> <div>Updates: 12/3/12</div> <div>Recommendation: SUBMITTED</div> <div>File 13 - Nishida</div>			

Amended Ex Parte Petition for Letters of Special Administration with General Powers

DOD: 9-21-12

15 Haelee Saenz, Joel Saenz, Juan Carlos Hernandez, Annalia Kathleen
Saenz, Abel Sanez, Jaylon Charlie Saenz (GUARD)
Atty Garcia, Alice (pro per – maternal great-grandmother/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Haelee, 10	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:
Joel, 7	ALICE GARCIA , maternal great-grandmother, is Petitioner.		1. Need Notice of Hearing.
Juan, 4	Father (Haelee): MICHAEL D. FELICIANO		2. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
Annalia, 3	- Not listed on Petition; however, Court records indicate a child support (paternity) judgment against Michael D. Feliciano for Haelee.		- Michael D. Feliciano (Haelee's father)
Abel, 2	Father (Joel & Juan Carlos): UNKNOWN		- Juan Carlos Hernandez (Annalia, Abel & Jaylon's father)
Jaylon, 1	Father (Annalia, Abel & Jaylon): JUAN CARLOS HERNANDEZ		- Dorothy Saenz (mother)
	Mother: DOROTHY SAENZ		- Joel & Juan Carlos's father(s) – unknown
Cont. from	Paternal grandparents (all): NOT LISTED		3. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
Aff.Sub.Wit.	Maternal grandfather: MAX GARCIA - deceased		- Paternal grandparents (all)
✓ Verified	Maternal grandmother: GRACE SAENZ		- Grace Saenz (maternal grandmother)
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections	Petitioner alleges the mother is currently in Spirit of Woman rehab and the fathers are not involved in the children's lives.		
Video Receipt			
✓ CI Report	Court Investigator Charlotte Bien filed a report on 11/15/12.		
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
			Reviewed by: JF
			Reviewed on: 11/29/12
			Updates:
			Recommendation:
			File 15 – Saenz & Hernandez

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4		TEMPORARY EXPIRES 12-4-12		NEEDS/PROBLEMS/COMMENTS:	
		JESUSA MARIA JOSE GUTIERREZ , Stepmother, is Petitioner.		<u>Minute Order 10-16-12</u> : Petitioner informs the Court that both mother and father were provided notice. The Court grants the petition. The temporary expires 12-4-12. The general hearing remains set for 12-4-12. Petitioner is directed to file the proof of service for the mother and the father.	
		Father: ROBERT RENE BOTELLO, SR.		<p>1. Need proof of personal service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</p> <ul style="list-style-type: none"> - Robert Rene Botello, Sr. (Father) - Valerie Alexis Moreno (Mother) <p>2. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on:</p> <ul style="list-style-type: none"> - Maternal Grandfather - Maternal Grandmother <p><u>Note</u>: Petitioner filed a Notice of Hearing on 10-11-12 for this hearing; however, the proof of personal service does not indicate that anyone was served-it states "N/A Closed door on me" rather than a name.</p> <p><u>Note</u>: Petitioner states she is in contact with the father, and does list an address for the mother on the original petition. If guardianship is considered, further diligence may be required for notice to the parents and the maternal grandparents pursuant to Probate Code §1511.</p>	
		Mother: VALERIE ALEXIS MORENO			
		Paternal Grandfather: Deceased			
		Paternal Grandmother: Deceased			
		Maternal Grandfather: Unknown			
		Maternal Grandmother: Unknown			
		Petitioner states the mother hasn't been seen since his birth. He was given to Petitioner at birth and she has raised him since birth. Petitioner states the father left with the child a month ago and they are no longer together. The father is always on medication and needs care for himself, so how can he care for the child?			
		Court Investigator Jo Ann Morris filed a report on 11-20-12.			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
	Aff.Mail		X		
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.		X		
✓	Conf. Screen				
	Letters		X		
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
✓	Clearances				
	Order		X		
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: skc	
				Reviewed on: 11-29-12	
				Updates:	
				Recommendation:	
				File 16 - Botello	

John Paul Chapman Age: 13		TEMPORARY EXPIRES 12-4-12 JUANITA QUINN , Paternal Grandmother, is Petitioner. Father: JOHN F. CHAPMAN - Dunlap, CA - Notice dispensed 10-16-12 Mother: TAMMY CHAPMAN - Dunlap, CA - Notice dispensed 10-16-12 Paternal Grandfather: Deceased Maternal Grandfather: Not listed Maternal Grandmother: Not listed Petitioner states the mother only wants them for the welfare check. She does not care about school or the well-being of the child. Petitioner has a steady place for the child to live and can provide schooling and medical needs. Court Investigator Julie Negrete filed a report on 11-27-12.	NEEDS/PROBLEMS/COMMENTS: 1. At the temporary hearing on 10-16-12, the Court dispensed with notice to the parents until their whereabouts become known. At this time, the Court may require further diligence and notice to the parents and grandparents pursuant to Probate Code §1511.	
Chessa Lyrie Chapman Age: 11				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc Reviewed on: 11-29-12 Updates: Recommendation: File 17 - Chapman		

Petition for Probate of Will and for Letters of Administration with Will Annexed

Age:		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Dismissal entered on 11/29/12.
DOD:		
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: KT Reviewed on: 11/29/12 Updates: Recommendation: File 18 – Negrete